

RECEIVED
NOV 02 2018

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

ID # 82805

Department of Water Resources

1. Name of applicant(s) Mud Lake Water Users, Inc. Phone (208) 663-4359
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 68 City Terreton
 State Idaho ZIP 83450 Email mudlakeh2o@gmail.com
2. Name of representative, if any Robert L. Harris Phone (208) 523-0620
 Mailing address P.O. Box 50130 City Idaho Falls
 State Idaho ZIP 83405 Email rharris@holdenlegal.com
- a. ☒ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply GROUND WATER which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
06N	34E	23		NE	NE	NE	JEFFERSON	GROUND WATER	0073973

5. Water will be used for the following purposes:
- Amount 0.04 cfs for COMMERCIAL purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Well and pump.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? 2017; drilling firm High Plains
 well was drilled for (well owner) Applicant (replacement well); Drilling Permit No. 31-10627

For Department Use

Received by SC Date 11/2/2018 Time _____ Preliminary check by _____
 Fee \$ 100 Received by SC Receipt No. E044506 Date 11/2/18

31-12447

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households _____
 - Other; describe fully. Commercial use for Applicant's office; No irrigation will occur under this right; Water is only used for culinary use associated with office.
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	34E	24						C											N/A

Total number of acres to be irrigated: N/A

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? 31-10627. Use will be commercial with no irrigation or other consumptive use of water.
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The well identified as the point of diversion on this application was re-drilled in 2017. Because of recent ownership changes with properties serviced by this water right, it was determined that joint users of the well under 31-10627 needed to clarify the 3 homes serviced under the water right and to submit this application.
13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

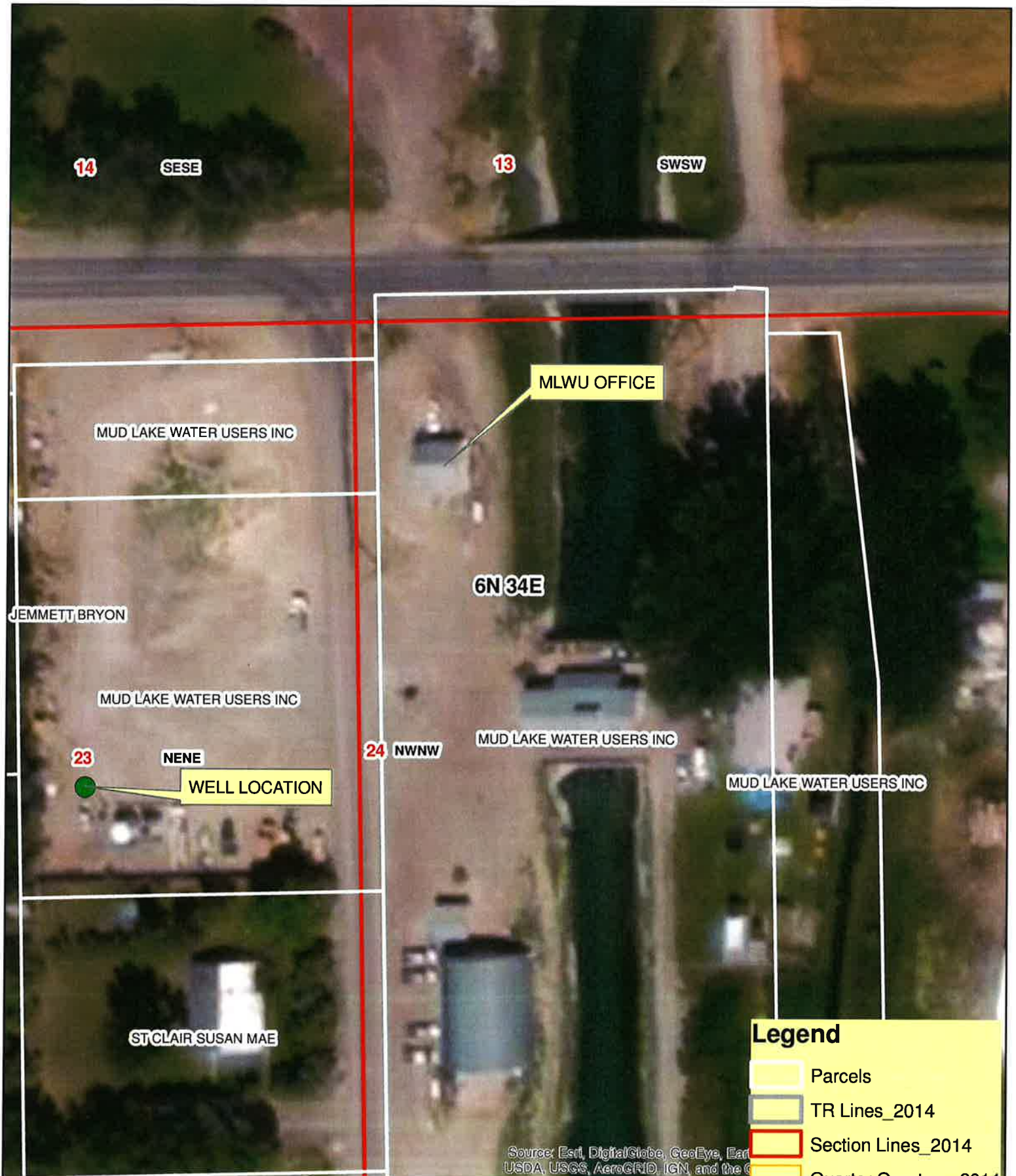
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Robert L. Harris
 Signature of Applicant
 Robert L. Harris, Attorney
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

MLWU Application



Legend

- Parcels
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters_2014
- wrpod

Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AeroGRID, IGN, and the

31-12447

[Search again](#)

Results (as of 10/26/18)

Robert Lynn Harris

Status

Active

Admittance Date

09/30/2004

Firm

Holden, Kidwell, Hahn & Crapo, PLLC

Mailing Address

PO Box 50130

Idaho Falls, ID 83405

Phone

(208) 523-0620

Phone Ext**Fax**

(208) 523-9518

Bar Email Address

rharris@holdenlegal.com

Website Address

www.holdenlegal.com

Court eService Email

efiling@holdenlegal.com

Need a correction?

Is something not correct? Please use the [Address Change Form](#)

The information above is based on the Idaho State Bar records as of the date listed above. To send us an update on your own listing, please use the online [Address Change Form](#) or send an email to the Licensing Department. Please notify the Licensing Department if you find that another attorney's information is incorrect. Questions on attorney status and good standing should also be directed to the Licensing Department at (208) 334-4500.

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

1. WELL TAG NO. D 00 73973

Drilling Permit No. _____

Water right or injection well # 31-10627

2. OWNER: Mud Lake Irrigation

Name Shawn Brown

Address P.O. Box 68

City Terneton State Id Zip 83450

3. WELL LOCATION:

Twp. 6 North ☒ or South ☐ Rge. 24 East ☒ or West ☐

Sec. 23 1/4 NE 1/4 NE 1/4

Gov't Lot _____ County Jefferson

Lat. 43° 50.436 (Deg. and Decimal minutes)

Long. 112° 24.991 (Deg. and Decimal minutes)

Address of Well Site 1495 N 1400 E

City Terneton

Lot _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection

☒ Other public water supply

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well

☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
<u>ben-tonite</u>	<u>0</u>	<u>170</u>	<u>79 bps</u>	<u>over bore</u>

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Liner	Threaded	Welded
<u>6</u>	<u>+2</u>	<u>300</u>	<u>250</u>	<u>steel</u>	☒	☐	☐	☒

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

9. PERFORATIONS/SCREENS:

Perforations ☐ Y ☒ N Method _____

Manufactured screen ☐ Y ☒ N Type _____

Method of installation _____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
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Length of Headpipe _____ Length of Tailpipe _____

Packer ☐ Y ☒ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method
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11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____

Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 270 Static water level (ft) 270

Water temp. (°F) 50 Bottom hole temp. (°F) 50

Describe access port well cap

Well test:	Test method:
Drawdown (feet)	Pump ☐ Bailer ☐ Air ☒ Flowing artesian ☐
Discharge or yield (gpm)	
Test duration (minutes)	

Water quality test or comments: ex.

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
<u>10</u>	<u>0</u>	<u>40</u>	<u>clay gravel</u>		☒
<u>10</u>	<u>40</u>	<u>50</u>	<u>sand gravel</u>		☒
<u>10</u>	<u>50</u>	<u>123</u>	<u>clay</u>		☒
<u>10</u>	<u>123</u>	<u>130</u>	<u>black lava</u>		☒
<u>10</u>	<u>130</u>	<u>260</u>	<u>black</u>		☒
<u>10</u>	<u>260</u>	<u>280</u>	<u>red broken lava</u>	☒	☒
<u>10</u>	<u>280</u>	<u>300</u>	<u>broken lava & clay</u>		☒
<u>6</u>	<u>300</u>	<u>340</u>	<u>solid lava</u>		☒
<u>6</u>	<u>340</u>	<u>360</u>	<u>broken lava</u>	☒	

RECEIVED

SEP 08 2017

Department of Water Resources
Eastern Region

Completed Depth (Measurable): 360
Date Started: 8-22-17 Date Completed: 9-1-17

14. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name High Plains Co. No. 299

*Principal Driller Marcus Zamboni Date 9-7-17

*Driller Tom Frank Date 9-5-17

*Operator II _____ Date _____

Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.

31-12447



Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

Email: rharris@holdenlegal.com

November 2, 2018

Idaho Department of Water Resources
Eastern Region Office
900 Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Application for Permit Submitted on Behalf of Mud Lake Water Users, Inc.

Ladies and Gentlemen:

Enclosed for processing is an *Application for Permit* submitted on behalf of Mud Lake Water Users, Inc., along with the required \$100 filing fee. If you have any questions or concerns regarding the application, please give me a call at 208-523-0620.

Best regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

g:\wpdata\rlh\1047 mlwu\16 well use agreement\app permit\cover letter.docx

Established in 1896

31-12447



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 12, 2018

MUD LAKE WATER USERS INC
PO BOX 68
TERRETON, ID 83450

Application For Permit No. 31-12447

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the JEFFERSON STAR on December 19 and 26, 2018. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**on January 7, 2019, at 5:00 pm**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink that reads 'Sharla Cox'. The signature is fluid and cursive, with the first name 'Sharla' being more prominent than the last name 'Cox'.

Sharla Cox
Administrative Assistant

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, December 12, 2018 4:43 PM
To: 'info@jeffersonstarnews.com'
Subject: Legal Notice for your paper
Attachments: Jefferson Star E-Mail.doc

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

CAN CONTAIN MORE THAN 1 (ONE) PAGE

December 12, 2018

Legal Notice Department
JEFFERSON COUNTY STAR
PO BOX 37
RIGBY ID 83442

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **January 7, 2019**. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

31-12447
MUD LAKE WATER USERS INC
PO BOX 68
TERRETON, ID 83450
Point of Diversion
NENE S23 T06N R34E
JEFFERSON County
Source: GROUND WATER Tributary
Use: COMMERCIAL
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 11/2/2018
Place Of Use: COMMERCIAL
T06N R34E S24 NWNW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before January 7, /2019. The protestant must also send a copy of the protest to the applicant.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82853**

CANNON SHELLEY PROPERTY LP, 1470 N 750 E, SHELLEY, ID 83274-5011; has filed Application No. 82853 for changes to the following water rights within JEFFERSON County(s): Right No(s). 35-13523, 35-7934; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and change place of use. The point of diversion is in SWSE Sec 25 T4N R35E for 5.24 cfs from ground water. The place of use is within S1/2 Sec 25 T4N R35E for 274 acres. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before January 7, 2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on December 19 and 26, 2018

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31-12447

MUD LAKE WATER USERS INC

PO BOX 68

TERRETON, ID 83450

Point of Diversion

NENE S23 T06N R34E

JEFFERSON County

Source GROUND WATER Tributary

Use: COMMERCIAL

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 11/2/2018

Place Of Use: COMMERCIAL

T06N R34E S24 NWNW

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